

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**HARRIS RESEARCH, INC.,**

**Plaintiff,**

**v.**

**HOSPITALITY FUTURE LABS, LLC and  
ADAM SCHRODER,**

**Defendants.**

**No. 3:23-cv-001099**

**District Judge Aleta A. Trauger**

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**REPLY TO RESPONSE TO MOTION TO WITHDRAW**

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Michael A. Johnson and the law firm of Kay Griffin Evans, PLLC submit this reply to Plaintiff's response to their Motion to Withdraw.

As shown in Exhibit 1 to the Motion to Withdraw, and as acknowledged in Plaintiff's response, Defendants have been uncooperative and have engaged in "name-calling, profanity, threats, and other offensive language" with respect to the administrative agency involved. (D.E. 29-1, PageID #: 271.) As a result, Kay Griffin has terminated its representation of Defendants.

Plaintiff states it opposes the instant motion because "HFL will be left without an attorney in this action" since Todd E. Zenger "would be left without a Tennessee attorney to sponsor his *pro hac vice* admission to this Court." Defendants claim this case will "stall on the Court's docket" if Kay Griffin is permitted to withdraw. However, Todd E. Zenger remains counsel of record for Defendants. There is nothing preventing Defendants from retaining new lead or local counsel. Plaintiff's remedy is not to force undersigned counsel to continue to serve as counsel of record for uncooperative parties the firm no longer represents and then to appear for an in-person conference—it is to order the corporate Defendant to retain new local counsel. *See, e.g., Gibson*

*Guitar Corp. v. Tokai Gakki Co.*, No. 3:04-cv-0449, 2019 U.S. Dist. LEXIS 208324, at \*1 (M.D. Tenn. Feb. 27, 2019) (granting motion to withdraw and ordering corporate defendant to retain new counsel by a date certain); *see also Little Caesar Enters. v. Miramar Quick Serv. Rest. Corp.*, No. 2:18-cv-10767, 2020 U.S. Dist. LEXIS 92185, at \*4 (E.D. Mich. May 26, 2020) (granting motion to withdraw and ordering corporate defendant to retain new counsel by a date certain and stating, “Failure to do so may result in a default judgment” (citing *Smith v. Comm'r*, 926 F.2d 1470, 1475 (6th Cir. 1991))).

Therefore, the undersigned respectfully moves this Court for the entry of an order allowing them to withdraw as counsel of record for Defendants.

Respectfully submitted,

s/ Michael A. Johnson  
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## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served via CM/ECF on all counsel of record:

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on this the 8th day of May, 2024.

s/ Michael A. Johnson